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373

PATENT

#15
B. Webb
9/3/02

I certify that on 8/12/02, which is the date I am signing this certificate, this correspondence and all attachments mentioned are being deposited in the United States Postal Service as first class in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Craig A. Slavin

Applicant: Swanson
Serial No.: 09/761,981

Filing Date: January 17, 2001

Title: Fluid Cooled Apparatus For Supporting Diagnostic And Therapeutic Elements In Contact With Tissue

Group Art Unit: 3739

Examiner: Unassigned

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED

AUG 23 2002

TECHNOLOGY CENTER R3700

RESPONSE TO THE RESTRICTION REQUIREMENT

DATED JULY 29, 2002

Sir:

In response to the Restriction Requirement dated July 29, 2002, in which the examiner has required restriction to one of the following inventions:

- I. Claims 1-9, drawn to a surgical probe, and
- II. Claims 10-27, drawn to a tissue cooling apparatus;

applicant provisionally elects invention I without traverse for prosecution on the merits. Applicant reserves the right to file a divisional application directed to the non-elected invention(s).

Early and favorable consideration of the elected invention are respectfully requested. Allowance of the claims at an early date is courteously solicited. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is respectfully requested to call Applicants' undersigned representative at (310) 563-1458 to discuss the steps necessary for placing the application in condition for allowance.

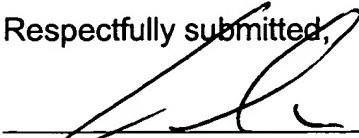
The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0638. Should such

fees be associated with an extension of time, applicant respectfully requests that this paper be considered a petition therefor.

8/12/02
Date

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Respectfully submitted,



Craig A. Slavin
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